

ARI LAW, P.C.

Ali A. Aalaei, State Bar No. 254713

90 New Montgomery St., Suite 905

San Francisco, CA 94105

Telephone: 415-357-3600

Fax: 415-357-3602

Attorney for Plaintiff

RANDAL PHAM, M.D.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

RANDAL PHAM, M.D., an individual,

Plaintiff,

VS.

DANIEL WATTS, an individual, DOES 1-10 inclusive,

Defendants.

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1 I, Ali Aalaei, declare as follows:

2 1. I am a shareholder of ARI LAW, P.C. ("the Firm"), located at 90 New Montgomery Street,
3 Suite 905, San Francisco, CA 94105.

4 2. I am an attorney licensed to practice law in the State of California and in the United States
5 District Court for the Northern District of California. The Firm was retained as counsel for Plaintiff
6 Randal Pham, M.D. ("Plaintiff") in the present action ("the Action").

7 3. I have personal knowledge of all facts stated in this declaration, unless stated upon
8 information and belief, and if called to testify, I could and would testify competently thereto.

9 4. I was admitted to the California State Bar on or about January 2, 2008. I have been admitted
10 to the United States District Court for the Northern District of California since approximately 2008. I
11 am also admitted to the United States District Court for the Central District of California and I have
12 appeared before the United States District Court for the Eastern District of Texas.

13 5. I attended Suffolk University Law School in Boston, Massachusetts, where I received a *Juris*
14 *Doctor* degree in 2007. During law school I was a member of the *Suffolk University Law Review*.
15 Since graduating law school, I have focused my practice in the areas of business and commercial
16 litigation, including complex litigation.

17 6. In 2007, I authored an article relating to Title III of the Americans With Disabilities Act,
18 which was selected for publication and published in Volume 40 of the *Suffolk University Law Review*.

19 7. I have been a shareholder of the Firm since 2008.

20 8. Since the Firm's inception over six years ago, I have served as lead counsel in various
21 matters including trial. For example:

- 22 i. In 2014, I served as lead trial counsel for a plaintiff in unrelated Case No. 78757, in the
23 Superior Court of State of California, County of Nevada, before the Hon. Sean P.
24 Dowling. The court found in favor of our client, the plaintiff, and held that defendants
25 violated, *inter alia*, California Business and Professions Code Section 17200.

1 ii. In 2013, I served as lead trial counsel for a defendant in a three-week jury trial before
2 the Hon. Sean P. Dowling, Case No. 77884, Superior Court of California, County of
3 Nevada.

4 iii. In 2009, I served as lead trial counsel for the Firm representing a plaintiff before the
5 Hon. Ronald E. Quidachay of the Superior Court, County of San Francisco, in Case No.
6 CGC-09-494555. The Firm prevailed, and on behalf of the client was awarded
7 \$50,235.66 in attorney's fees and costs.

8 9. On or around April 1, 2014, Craig P. Ramsdell joined the Firm as *Of Counsel*. Mr. Ramsdell
9 received his *Juris Doctor* from Suffolk University Law School in 2007. He graduated *cum laude* and
10 served as Chief-Note-Editor of the *Transnational Law Review*. Mr. Ramsdell has been licensed to
11 practice law in Massachusetts since 2007. Mr. Ramsdell's contributions to the Firm consist of assisting
12 me with research and writing.

13 10. Since graduating law school, Mr. Ramsdell has focused his practice on complex business
14 and commercial litigation.

15 11. Prior to joining the Firm, Mr. Ramsdell practiced at the law firm of Ferriter Scobbo &
16 Rodophele LLP in Massachusetts for over five (5) years and subsequently became the managing
17 partner of Ramsdell & Riffin, LLP.

18 12. Mr. Ramsdell's professional experience includes the following:

19 i) In 2012, Mr. Ramsdell represented a prominent company with respect to a multi-million
20 dollar breach of contract action.

21 ii) From 2007 to 2012, Mr. Ramsdell represented a prominent company in a \$65 million tort
22 and breach of contract action , Case No. SUCV2007-03243.

23 iii) in 2010, Mr. Ramsdell defended a prominent company as first chair in a jury trial against
24 Verizon Communications in an negligence action, Case No. SUCV2009-04282.

25 iv) in 2009, Mr. Ramsdell served as second chair of a bench trial in which his law firm
26 represented a major wind energy project in Massachusetts with respect to complex tort and
27 land use issues, Case No. 09-MISC-393464.

1 13. I am familiar with the process for keeping business records of the Firm. All Firm attorneys
2 and support staff create daily time records of the legal services rendered to and for clients by inputting
3 their time directly into the computer time and billing program. All Firm attorneys and support staff
4 track their time concurrently with the services being billed.

5 14. The time records are maintained in computer files in the ordinary course of business.

6 15. Attached hereto as Exhibit A is a true and correct copy of time-keeping records relating to
7 the total hours expended by the Firm in connection with Defendant's removal and remand.

8 16. Invoices are submitted to clients on a monthly basis. Prior to submitting an invoice, I
9 regularly review all of the time submitted by attorneys and legal staff at the Firm with respect to a
10 client and eliminate any excessive, redundant or otherwise unnecessary hours from the invoice.

11 17. As the managing partner of the Firm, I oversee, review and approve any services performed
12 by the Firm and any work-product prepared by the Firm.

13 18. The services performed with respect to Defendant's removal were, in my judgment,
14 necessary for purposes of adequately representing Plaintiff. Such services consisted of:

- 15 (1) communications with Defendant's counsel requesting that Defendant voluntarily remand
16 this case due to the lack of federal jurisdiction and to avoid the unnecessary legal costs
17 associated with Plaintiff seeking a remand;
- 18 (2) communications with Defendant's counsel requesting that Defendant grant to Plaintiff an
19 extension of time to respond to Defendant's anti-SLAPP Motion to Strike pursuant to CCP
20 425.16, which was improperly filed after the Court issued its Order to Show Cause, dated
21 June 23, 2014;
- 22 (3) preparing an Administrative Motion for Extension of Time for Plaintiff to Respond to
23 Defendant's anti-SLAPP Motion to Strike pursuant to CCP 425.16;
- 24 (4) preparing Plaintiff's Opposition to Defendant's Response to Order to Show Cause; and
- 25 (5) preparing this Motion for Attorney's Fees in accordance with the Court's Order of Remand,
26 dated June 11, 2014.

27 19. Plaintiff's Opposition to Defendant's Response to Order to Show Cause involved several
28 legal issues for which legal research was necessary, including research regarding federal question

1 jurisdiction, the applicability of the “artful pleading” doctrine, the well-pleaded complaint rule and
2 federal preemption.

3 20. The Firm made several efforts to limit the amount of attorney’s fees it incurred as a result
4 of Defendant’s removal. Pursuant to a series of correspondence, I requested: (1) that Defendant agree
5 to remand this matter to state court given the lack of federal court jurisdiction; and (2) a stipulation to
6 enlarge time for filing Plaintiff’s Opposition to Defendant’s anti-SLAPP Motion to Strike Plaintiff’s
7 Complaint (C.C.P. § 425.16). Mr. Segarich refused to comply with my requests.

8 21. On June 10, 2014, the Firm filed an Administrative Motion for Extension of Time to
9 respond to Defendant’s anti-SLAPP Motion to Strike Plaintiff’s Complaint (“Motion for Extension”),
10 which the Court promptly granted. The Firm’s filing of the Motion for Extension avoided the
11 incurrence of the substantial attorney’s fees that would have resulted if Plaintiff responded to
12 Defendant’s anti-SLAPP Motion.

13 22. Pursuant to Civil L.R. 54-5(b)(1), I met and conferred with Mr. Segarich in an effort to
14 stipulate as to the amount of attorney’s fees to which Plaintiff is entitled, but Mr. Segarich refused on
15 behalf of his client to stipulate. Attached hereto as Exhibit B is a true and correct copy of my meet and
16 confer correspondence to Mr. Segarich, which memorialized our telephonic discussion.

17 23. The requested hourly billing rates of the attorneys and support staff who contributed to the
18 representation of Plaintiff in the Action and for whom the attorney’s fees and costs associated with are
19 sought were:

- 20 a. Ali A. Aalaei, attorney licensed in CA
21 May 1, 2014 to present rate: \$470.00 per hour
22 b. Craig P. Ramsdell, attorney licensed in MA
23 May 1, 2014 to present rate: \$470.00 per hour

24 24. The billing rates for the individuals above are based on their education, qualifications,
25 training, experience, and prior judicial decisions within the Northern District of California and the
26 Ninth Circuit. The rates and fees above are reasonable and comparable to the current prevailing rates
27 of compensation for attorneys with similar education, training, and experience in the community.
28

25. A total of at least 86.2 hours were expended as set forth in Paragraphs 15 and 18-22 above.

The total number of hours expended by each of the above individuals was at least:

a. Ali Aalaei, attorney licensed in CA

May 1, 2014 to present: 22.6 hours

b. Craig Ramsdell, attorney licensed in MA

May 1, 2014 to present: 63.6 hours

26. The total amount of attorneys' fees sought is (\$470.00 x 86.2 hours) = \$40,514.00

27. Attached hereto as Exhibit C is the most recent copy of the Laffey Matrix, available online at <http://www.laffeymatrix.com/see.html>.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

Executed in San Francisco, California on August 10, 2014.

By: /s/ Ali A. Aalaei

Exhibit A

ARI LAW, P.C.
 90 New Montgomery Street
 Suite 905
 San Francisco, CA 94105
 415-357-3600
 www.arilaw.com

06-12-2014

Dr. Randal Pham

Pham, Dr. Randal

**Invoice Number: 469**

Invoice Period: 05-01-2014 - 05-31-2014

RE: Pham v Watts (110-102)**Legal Services**

Date	Professional	Description	Hours	Rate	Amount
05-19-2014	Ali Aalaei	A104 - Review / analyze removal to federal court;	0.400		
05-19-2014	Ali Aalaei	A104 - Review / analyze federal docket and filings by Daniel Watts;	0.300		
05-19-2014	Craig Ramsdell	Reviewing Notice of Removal to Federal Court.	0.300		
05-20-2014	Ali Aalaei	A106 - Communicate (with Client) call w/ Dr. Pham, prepare for same;	0.600		
05-21-2014	Craig Ramsdell	Conducting legal research for purposes of seeking remand of Notice of Removal to federal court.	1.400		
05-27-2014	Ali Aalaei	A104 - Review / analyze and update calendar;	0.100		
Total Fees:					
Sub-Total for this Invoice:					
Total for this Invoice:					
Total Balance Due for Matter:					

Matter Statement of Account

RE: Pham v Watts (110-102)

Payments Applied Since Previous Invoice (05-09-2014 - 06-12-2014)

Received	Type	Reference	Amount	Applied To Invoice	Matter
					Pham v Watts
					Pham v Watts

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06-12-2014

ARI LAW, P.C.
 90 New Montgomery Street
 Suite 905
 San Francisco, CA 94105

Invoice Number: 469

Invoice Period: 05-01-2014 - 05-31-2014

REMITTANCE COPY**RE: Pham v Watts (110-102)****Fees:****Total for this Invoice:****Total Balance Due for Matter:****Open Invoices and Credits**

Date	Invoice	Matter	Amount	Credits	Balance Due

ARI LAW, P.C.
 90 New Montgomery Street
 Suite 905
 San Francisco, CA 94105
 415-357-3600
 www.arilaw.com

07-03-2014

Pham, Dr. Randal

**Invoice Number: 479**

Invoice Period: 06-01-2014 - 06-30-2014

RE: Pham v Watts (110-102)**Legal Services**

Date	Professional	Description	Hours	Rate	Amount
06-05-2014	Ali Aalaei	A103 - Draft / revise letter to Segarich;	0.700		
06-05-2014	Ali Aalaei	A103 - Draft / revise correspondence to Sagerich re: motion to extend time;	0.700		
06-05-2014	Ali Aalaei	A104 - Review / analyze federal docket including Order to Show Cause and Case Management Scheduling Order and update calendar; Research law relating to remand of notice of removal;	0.600		
06-05-2014	Ali Aalaei	A104 - Review / analyze Local Rules regarding extensions of time to respond to Anti-SLAPP motion and plan and prepare for correspondence to opposing counsel attempting to seek stipulation, phone call to opposing counsel attempting to meet and confer;	0.200		
06-05-2014	Ali Aalaei	A104 - Review / analyze updated docket items, revised scheduling order, review/analyze Anti-SLAPP;	0.300		
06-05-2014	Ali Aalaei	A103 - Draft / revise email update to Dr. Pham regarding [REDACTED]	0.100		
06-07-2014	Ali Aalaei	A103 - Draft / revise e-mail to Segarich regarding request for stipulation to amend briefing schedule and grounds for removal; e-mail to client providing [REDACTED];	0.100		
06-09-2014	Ali Aalaei	A103 - Draft / revise email to Segarich regarding Civ. L.R. 6-3 and removal;	0.300		
06-09-2014	Ali Aalaei	A104 - Review / analyze removal notice, register of actions, contact clerk regarding court call trial setting conference;	0.300		
06-09-2014	Craig Ramsdell	Preparing Motion to Change Time in order to amend the deadline to respond to Defendant's anti-SLAPP motion pending Plaintiff Pham's Motion to Remand, and all associated documents, including Proof of Service, Declaration of Ali Aalaei and Proposed Order.	6.200		

Date	Professional	Description	Hours	Rate	Amount
06-10-2014	Craig Ramsdell	Preparing motion to extend time in Pham v. Watts.	1.800		
06-10-2014	Ali Aalaei	A103 - Draft / revise and finalize motion to change time;	4.100		
06-10-2014	Ali Aalaei	A104 - Review / analyze federal docket and organize filings, prepare for courtesy copy	0.600		
06-11-2014	Craig Ramsdell	Finalizing Motion to Enlarge Time and all associated documents; preparing cover letter and motion for filing with the U.S. Dist. Court, Northern District of California.	1.100		
06-30-2014	Craig Ramsdell	Conducting legal research and preparing outline for Opposition to Defendant's Response to Order to Show Cause	2.500		
Total Fees:					

Expenses

Date	Description	Amount
Total Expenses:		
Total for this Invoice:		
Total Balance Due for Matter:		

Matter Statement of Account

RE: Pham v Watts (110-102)

[REDACTED]					
[REDACTED]					
[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]				[REDACTED]	[REDACTED]
[REDACTED]					[REDACTED]

San Jose
San Jose, CA 94105

07-03-2014

ARI LAW, P.C.
90 New Montgomery Street
Suite 905
San Francisco, CA 94105

Invoice Number: 479
Invoice Period: 06-01-2014 - 06-30-2014

REMITTANCE COPY

RE: Pham v Watts (110-102)

ARI LAW, P.C.
 90 New Montgomery Street
 Suite 905
 San Francisco, CA 94105
 415-357-3600
 www.arilaw.com

08-06-2014

Pham, Dr. Randal

**Invoice Number: 483**

Invoice Period: 07-01-2014 - 07-31-2014

RE: Pham v Watts (110-102)**Legal Services**

Date	Professional	Description	Hours	Rate	Amount
07-03-2014	Craig Ramsdell	Preparing Plaintiff's Opposition to Defendant's Response to Order to Show Cause per request of Ali Aalaei; conducting legal research re: same, including research re: federal question jurisdiction.	3.200		
07-04-2014	Craig Ramsdell	Preparing Plaintiff's Opposition to Defendant's Response to Order to Show Cause per request of Ali Aalaei; conducting legal research re: federal question jurisdiction; well-pleaded complaint rule; "master of complaint" doctrine; preemption of state law claims.	3.400		
07-06-2014	Craig Ramsdell	Preparing Plaintiff's Opposition to Defendant's Response to Order to Show Cause per request of Ali Aalaei, including Statement of Facts; conducting legal research re: well-pleaded complaint rule, time period for removal; admissibility of Daniel Watts' Declaration which was not signed under penalty of perjury and the "artful pleading" doctrine.	4.600		
07-07-2014	Craig Ramsdell	Preparing Plaintiff's Opposition to Defendant's Response to Court's Order to Show Cause per request of Ali Aalaei; conducting legal research re: same; including research re: federal subject matter jurisdiction, timing of notice of removal, well-pleaded complaint rule.	2.800		
07-08-2014	Craig Ramsdell	Preparing Plaintiff's Opposition to Defendant's Response to Court's Order to Show Cause per request of Ali Aalaei; conducting legal research re: well-pleaded complaint rule, doctrine that Plaintiff is master of complaint, state law claim for trade name infringement v. federal claim, court's discretion to allow costs under the removal statute, 28 U.S.C. 1447(c).	6.200		
07-08-2014	Craig Ramsdell	Preparing declaration of Ali Aalaei in Support of Plaintiff's Opposition to Defendant's Response to Court's Order to Show Cause per request of Ali Aalaei; conference call with Ali Aalaei re: same.	1.100		

Date	Professional	Description	Hours	Rate	Amount
07-08-2014	Craig Ramsdell	Revising and commenting on draft of Plaintiff's Opposition; preparing exhibits thereto; finalizing Opposition for filing.	1.900		
07-08-2014	Ali Aalaei	A103 - Draft / revise response to order to show cause, review and merge work product in order to finalize draft for filing, review/analyze declaration;	2.800		
07-09-2014	Ali Aalaei	A103 - Draft / revise courtesy copy and cover letter to clerk, email copy of same to client;	0.600		
07-14-2014	Ali Aalaei	A104 - Review / analyze Order of the Court regarding remand and communicate (e-mail) with client regarding the same;	0.100		
07-14-2014	Craig Ramsdell	Conference call with Ali Aalaei re: in-firm case management plan;	0.200		
07-14-2014	Craig Ramsdell	Per request of Ali Aalaei, Preparing Form Interrogatories to serve on Defendant Daniel Watts in this matter.	0.600		
07-15-2014	Craig Ramsdell	Conducting legal research per request of Ali Aalaei re: remand procedure and whether any action must be taken to remand action to superior court.	0.200		
			0.300		
07-23-2014	Ali Aalaei	A103 - Draft / revise meet and confer email to Mr. Segarich;	0.100		
07-25-2014	Ali Aalaei	A105 - Communicate (in firm) call w/ A. Segarich re: meet and confer with respect to attorney's fees application;	0.300		
07-25-2014	Craig Ramsdell	Attend conference call with Ali Aalaei and Daniel Watts' counsel, Alec Segarich, re: attorney's fees and case proceeding forward.	0.500		
Total Fees:					
Total for this Invoice:					
Total Balance Due for Matter:					

Matter Statement of Account**RE: Pham v Watts (110-102)****Payments Applied Since Previous Invoice (07-03-2014 - 08-06-2014)**

Received	Type	Reference	Amount	Applied To Invoice	Matter
					Pham v Watts

Balances As Of 08-10-2014

Open Invoices

Date	Invoice	Amount	Paid	Balance
SubTotal:				

San Jose
San Jose, CA 94105

08-06-2014

ARI LAW, P.C.
90 New Montgomery Street
Suite 905
San Francisco, CA 94105

Invoice Number: 483

Invoice Period: 07-01-2014 - 07-31-2014

REMITTANCE COPY

RE: Pham v Watts (110-102)

Fees: [REDACTED]
Total for this Invoice: [REDACTED]
Total Balance Due for Matter: [REDACTED]

Open Invoices and Credits

Date	Invoice	Matter	Amount	Credits	Balance Due
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
			[REDACTED]		[REDACTED]

ARI LAW, P.C.
 90 New Montgomery Street
 Suite 905
 San Francisco, CA 94105
 415-357-3600
 www.arilaw.com

08-10-2014

Pham, Dr. Randal
 San Jose
 San Jose, CA 94105

Invoice Number: N/A

Invoice Period: 08-01-2014 - 08-10-2014

RE: Pham v Watts (110-102)**Legal Services**

Date	Professional	Description	Hours	Rate	Amount
08-04-2014	Craig Ramsdell	Preparing Motion for Attorney's Fees per request of Ali Aalaei, including introduction and statement of facts; conducting legal research re: civil local rules for reviews applying to Motion for Attorney's Fees; conducting legal research re: "Iodestar method"; reviewing Court's Order of Remand.	4.100		
08-04-2014	Craig Ramsdell	Conference call with Ali Aalaei re: Application for Attorney's Fees.	0.400		
08-05-2014	Craig Ramsdell	Preparing Motion for Attorney's Fees per request of Ali Aalaei; conducting legal research re: same.	6.500		
08-06-2014	Craig Ramsdell	Preparing Motion for Attorney's Fees per request of Ali Aalaei; conducting legal research re: "Iodestar" method, standards for determining reasonableness of hours expended and reasonableness of attorney's rates; preparing notice of motion; communications with Ali Aalaei re: same; conference with Ali Aalaei re: same.	4.200		
08-06-2014	Ali Aalaei	A103 - Draft / revise correspondence to client regarding Court Order providing for expenses from Daniel Watts (.2); prepare draft of fees application (.3);	0.500		
08-06-2014	Ali Aalaei	A103 - Draft / revise correspondence to Mr. Segarich regarding attorney's fees and meet and confer;	0.200		
08-06-2014	Ali Aalaei	A105 - Communicate (in firm) discussion with CPR regarding coordinating plan for filing attorney's fees application and applicable factual and legal investigation regarding same;	0.300		
08-06-2014	Ali Aalaei	A103 - Draft / revise application for expenses and supporting declaration, merge work product of counsel;	0.200		
08-06-2014	Ali Aalaei	A103 - Draft / revise letter to Opposing Counsel re: meet and confer regarding resolution of expenses and attorney's fees issue, check Local Rules relating to same;	0.300		

Date	Professional	Description	Hours	Rate	Amount
08-07-2014	Ali Aalaei	A103 - Draft / revise application for attorney's fees;	0.600		
08-07-2014	Craig Ramsdell	Preparing Motion for Attorney's Fees per request of Ali Aalaei; conducting legal research re: same; reviewing pertinent invoices; preparing Proposed Order; preparing Notice of Motion; reviewing Local Rules of U.S. Dist. Court of Northern District of California.	4.600		
08-08-2014	Craig Ramsdell	Finalizing Proposed Order for Plaintiff's Motion for Attorney's Fees per feedback and request of Ali Aalaei; assisting in preparation of Declaration for Ali Aalaei.	0.600		
08-08-2014	Ali Aalaei	A103 - Draft / revise Motion and incorporate work product of C. Ramsdell into my final draft;	0.400		
08-10-2014	Ali Aalaei	A103 - Draft / revise and finalize application for attorney's fees and supporting declaration, merge all work product into final draft;	6.500		
08-10-2014	Craig Ramsdell	Preparing Plaintiff's Motion for Attorney's Fees per request of Ali Aalaei; Revising and commenting on Declaration of Ali Aalaei; compiling exhibits associated with Motion; preparing Proof of Service and assisting in preparation of finalizing motion;	5.200		

Total Fees:

Total for this Invoice:

Total Balance Due for Matter:

DRAFT

Matter Statement of Account**RE: Pham v Watts (110-102)****Payments Applied Since Previous Invoice (08-06-2014 - 08-10-2014)**

Received	Type	Reference	Amount	Applied To Invoice	Matter

Balances As Of 08-10-2014

Open Invoices

Date	Invoice	Amount	Paid	Balance
SubTotal:				

DRAFT

San Jose
San Jose, CA 94105

08-10-2014

ARI LAW, P.C.
90 New Montgomery Street
Suite 905
San Francisco, CA 94105

Invoice Number: N/A

Invoice Period: 08-01-2014 - 08-10-2014

REMITTANCE COPY

RE: Pham v Watts (110-102)

Fees:

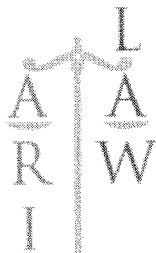
Total for this Invoice:

Total Balance Due for Matter:

Open Invoices and Credits

Date	Invoice	Matter	Amount	Credits	Balance Due

Exhibit B



Ari Law, P.C.
90 New Montgomery, Suite 905
San Francisco, CA 94105
Phone: 415-357-3600 | Fax: 415-357-3602 | www.arilaw.com

August 6, 2014

Sent Via E-mail

Alec Segarich
SAGER SEGARICH LLP
201 Spear Street, Suite 1100
San Francisco CA, 94105
asegarich@sagersegarich.com

Re: *Pham v. Watts, et al.* (14-CV-02247 VC)

Dear Alec:

This letter follows our telephonic meet and confer held on July 25, 2014, during which we discussed potentially working together to resolve the amount of expenses ordered to be paid by your client pursuant to the Court's Order of Remand ("the Order") (Doc. 23).

Since we have not heard from you since our call, we will assume that your client is not interested in working together with respect to this issue. Nevertheless, I recommend that your client offer to stipulate to pay the amount of \$24,000, in order to save the additional expense of plaintiff having to file an application for expenses including attorney's fees, and the expense of your client's response (in addition to any court time), within thirty (30) days.

Please let met know by tomorrow, Thursday, August 7, 2014, if you would like to further discuss this issue or if there is anything else that you would like to discuss. Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ali A. Aalaei', with a long horizontal stroke extending to the left.

Ali A. Aalaei
Attorney for Plaintiff,
Randal Pham, M.D.

Exhibit C

LAFFEY MATRIX

[History](#)
[Case Law](#)
[Expert Opinions](#)
[See the Matrix](#)
[Contact us](#)
[Home](#)
[Links](#)

			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20 +
6/01/13- 5/31/14	1.0244	\$175	\$320	\$393	\$567	\$640	\$771
6/01/12- 5/31/13	1.0258	\$170	\$312	\$383	\$554	\$625	\$753
6/01/11- 5/31/12	1.0352	\$166	\$305	\$374	\$540	\$609	\$734
6/01/10- 5/31/11	1.0337	\$161	\$294	\$361	\$522	\$589	\$709
6/01/09- 5/31/10	1.0220	\$155	\$285	\$349	\$505	\$569	\$686
6/01/08- 5/31/09	1.0399	\$152	\$279	\$342	\$494	\$557	\$671
6/01/07-5/31/08	1.0516	\$146	\$268	\$329	\$475	\$536	\$645
6/01/06-5/31/07	1.0256	\$139	\$255	\$313	\$452	\$509	\$614
6/1/05-5/31/06	1.0427	\$136	\$249	\$305	\$441	\$497	\$598
6/1/04-5/31/05	1.0455	\$130	\$239	\$293	\$423	\$476	\$574
6/1/03-6/1/04	1.0507	\$124	\$228	\$280	\$405	\$456	\$549
6/1/02-5/31/03	1.0727	\$118	\$217	\$267	\$385	\$434	\$522
6/1/01-5/31/02	1.0407	\$110	\$203	\$249	\$359	\$404	\$487
6/1/00-5/31/01	1.0529	\$106	\$195	\$239	\$345	\$388	\$468
6/1/99-5/31/00	1.0491	\$101	\$185	\$227	\$328	\$369	\$444
6/1/98-5/31/99	1.0439	\$96	\$176	\$216	\$312	\$352	\$424
6/1/97-5/31/98	1.0419	\$92	\$169	\$207	\$299	\$337	\$406
6/1/96-5/31/97	1.0396	\$88	\$162	\$198	\$287	\$323	\$389
6/1/95-5/31/96	1.032	\$85	\$155	\$191	\$276	\$311	\$375
6/1/94-5/31/95	1.0237	\$82	\$151	\$185	\$267	\$301	\$363

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., *McDowell v. District of Columbia*, Civ. A. No. 00-594 (RCL), LEXSEE 2001 U.S. Dist. LEXIS 8114 (D.D.C. June 4, 2001); *Salazar v. Dist. of Col.*, 123 F.Supp.2d 8 (D.D.C. 2000).

* "Years Out of Law School" is calculated from June 1 of each year, when most law students graduate. "1-3" includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). "4-7" applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier "1-3" from June 1, 1996 until May 31, 1999, would move into tier "4-7" on June 1, 1999, and tier "8-10" on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.